



Department of
**Environment &
Conservation**

Underground Storage Tank Enforcement Update

Underground Storage Tanks and
Solid Waste Disposal Control Board
February 7, 2024

Rhonda Key, Environmental Manager

ENFORCEMENT OVERVIEW

The Division issued 33 orders between November 17, 2023, to January 16, 2024.

3 were Fund Deductible Orders, 2 were Fund Eligibility Orders, and 28 were Director's Orders

2 are in signed status, 1 has been Appealed and 8 have gone Final. The rest are in Signed - Pending SOP status

Signed Orders

Signed Order

Summary of UST22-0157

Fac. ID No. 9-791910 / Broad Store, Memphis, Shelby County

- Director's Order signed November 22, 2023
 - Failing to have spill prevention equipment that will prevent release of petroleum to the environment when the transfer hose is detached from the fill pipe
 - Failing to cooperate with the Division

- Penalty:
 - Total fees and penalties: \$2,400.00

- The Order will be final February 5, 2024

Signed Order

Summary of UST23-0157

Fac. ID No. 2-730141 / Riverbend 1, Knoxville, Roane County

- Director's Order signed November 22, 2023
 - Failing to operate and maintain corrosion protection system in accordance with a corrosion expert's design to provide continuous protection
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division

- Penalty:
 - Total fees and penalties: \$6,960.00

- The Order will be final January 21, 2024

Final Orders

Final Order

Summary of UST22-0031

Fac. ID No. 9-792621/ Berryhill Market, Memphis, Shelby County

- Director's Order signed November 22, 2023
- Violations on Order:
 - Failing to have a designated Class A and Class B Operator for the facility
 - Failing to cooperate with the Division
- Penalty:
 - Total fees and penalties: \$4,560.00
- The order became final on January 4, 2024, and is currently in OGC.

Final Order

Summary of UST23-0060

Fac. ID No 2-150039/ Newport Citgo, Knoxville, Cocke County

- Director's Order signed November 22, 2023
 - Failing to notify the Division of a change in status within 30 days
 - Failing to provide documentation to the Division

- Penalty:
 - Total civil penalty: \$2,160.00

- The Order became final on January 8, 2024, and is currently in OGC.

Final Order

Summary of UST23-0061

Fac. ID No. 8-380108 / Country Corner Market, Jackson, Haywood County

- Director's Order signed November 22, 2023
 - Failing to test overfill prevention equipment every three years
 - Failing to provide documentation to the Division

- Penalty:
 - Total fees and penalties: \$12,000.00

- The Order became final on January 14, 2024, and is currently in OGC.

Final Order

Summary of UST23-0132

Fac. ID No. 8-240093/ Somerville Express, Memphis, Fayette County

- Director's Order signed November 22, 2023
- Violations on Order:
 - Failing to inspect overfill prevention equipment at least once every three years
 - Failing to permanently close a UST system where the impressed current cathodic protection system has been turned off or has been inoperable for more than twelve months
 - Failing to operate and maintain a corrosion protection system in accordance with a corrosion expert's design to continuously provide corrosion protection to the metal components of that portion of the tank, piping, and underground ancillary equipment that routinely contains petroleum and is in contact with the ground

Final Order-Continued

Summary of UST23-0132 -Continued

Fac. ID No. 8-240093/ Somerville Express, Memphis, Fayette County

- Director's Order signed November 22, 2023
- Violations on Order:
 - Failing to inspect an impressed current corrosion protection system every sixty days
 - Failing to test electronic and mechanical components of release detection at least annually for proper operation
 - Failing to monitor spill prevention equipment for UST systems no less frequently than walkthrough inspections are conducted, or to test spill prevention equipment at least once every three years
- Penalty:
 - Total civil penalty: \$30,800.00
- The Order became final on January 7, 2024 and is currently in OGC.

Final Order

Summary of UST23-0165

Fac. ID No. 9-792693/ Murphy USA No. 6908, Memphis, Shelby County

- Director's Order signed November 22, 2023
- Violations on Order:
 - Failing to investigate the containment sump associated with Dispenser 9/10 to ensure a release of petroleum has not occurred to the environment.
 - Failing to perform periodic walkthrough inspections
- Penalty:
 - Total fees and penalties: \$13,920.00
- The order became final on January 2, 2024, and is currently in OGC.

Final Order

Summary of UST23-0176

Fac. ID No. 9-792006/ Flash Market No. 160, Memphis, Shelby County

- Director's Order signed November 22, 2023
- Violations on Order:
 - Failing to continue operation and maintenance of release detection in a temporarily closed tank system that contains greater than one inch of liquid and/or residue
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division
- Penalty:
 - Total fees and penalties: \$8,400.00
- The order became final on January 11, 2024, and is currently in OGC.

Final Order

Summary of UST22-0079

Fac. ID No. 4-0800156 / Saint Thomas Stones River Hospital, Cookeville, Cannon County

- Director's Order signed November 22, 2023
- Violations on Order:
 - Failing to monitor tanks at least monthly
 - Failing to inspect overflow prevention equipment at least once every three years
 - Failing to report a change of status for a UST system within 30 days
 - Failing to cooperate by failing to provide documents, testing or monitoring records to the Division
- Penalty:
 - Total fees and penalties: \$6,960.00
- The order became final December 31, 2023, and is currently in OGC.

Appealed Orders

Appealed Order

Summary of CRF19-0001

Fac. ID No. 7-660147 / Hunt's Service Center, Jackson, Obion County

- Director's Order signed November 22, 2023
- Violations on Order:
 - Failing to pay fees, penalties and interest on a tank
 - Failing to submit a Permanent Closure Application prior to commencing permanent closure activities
 - Failing to obtain Division approval prior to beginning permanent closure of a UST system
 - Failing to provide documents, testing and monitoring records to the Division
- Penalty:
 - Total fees and penalties: \$49,780.25
- The order was appealed on December 18, 2023, and is currently in OGC.

Signed Pending SOP Orders

Signed-Pending SOP Order

Summary of FDA24-0005

Fac. ID No. 8-350058 / Middleton Quick Stop, Jackson, Hardeman County

- Fund Deductible Amount Order signed December 11, 2023
- Violations on Order:
 - Failing to maintain the last three records of cathodic protection rectifier inspections
 - Failing to ensure that cathodic protection system is tested every three years
 - Failing to operate and maintain corrosion protection system to provide continuous protection
 - Failing to permanently close a substandard UST system
- Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The order is pending being sent to the process server for service.

Signed-Pending SOP Order

Summary of FDA24-0007

Fac. ID No. 4-180185 / Boat-N-RV, Cookeville, Cumberland County

- Fund Deductible Amount Order signed December 11, 2023
- Violations on Order:
 - Failing to install line leak detector for pressurized underground piping
 - Failing to test line leak detectors annually
 - Failing to provide release detection method capable of detecting a release from tank that routinely contains product
 - Failing to test electronic and mechanical components at least annually for proper operation
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping

Signed-Pending SOP Order-Continued

Summary of FDA24-0007-Continued

Fac. ID No. 4-180185 / Boat-N-RV, Cookeville, Cumberland County

- Fund Deductible Amount Order signed December 11, 2023
- Violations on Order:
 - Failing to have piping installed after July 25, 2007, that is 100% double walled or secondarily contained with a single wall that ends in sumps
 - Failing to install appropriate overfill prevention systems
 - Failing to perform overfill prevention system inspections every three years
 - Facility failing to have one or more petroleum UST systems to have one or more persons designated as Class A, Class B and Class C operators
- Application for Fund Eligibility is approved with a deductible of \$20,000.00
- The order is pending being sent to the process server for service.

Signed-Pending SOP Order

Summary of FDA24-0009

Fac. ID No. 1-820020 / Appco No. 3, Johnson City, Sullivan County

- Fund Deductible Amount Order signed January 10, 2024
- Violations on Order:
 - Failing to ensure that cathodic protection is functioning as designed and is effectively preventing corrosion
- Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The order is pending being sent to the process server for service.

Signed-Pending SOP Order

Summary of FDA24-0011

Fac. ID No. 2-470788 / IJK Properties, LLC, Knoxville, Knox County

- Fund Deductible Amount Order signed December 11, 2023
- Violations on Order:
 - Failing to install appropriate overfill prevention systems
 - Failing to ensure that cathodic protection is functioning as designed and is effectively preventing corrosion
- Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The order is pending being sent to the process server for service.

Signed-Pending SOP Order

Summary of FDA24-0012

Fac. ID No. 3-331246 / One Eleven Mart, Chattanooga, Hamilton County

- Fund Deductible Amount Order signed January 10, 2024
- Violations on Order:
 - Failing to report a suspected release with seventy-two (72) hours to the Division
 - Failing to repair or replace any tank which has had a structural failure
 - Failing to repair or replace any tank which has had a structural failure
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The order is pending being sent to the process server for service.

Signed-Pending SOP Order

Summary of FDA24-0013

Fac. ID No. 5-220122 / MEI Market No. 2, Nashville, Dickson County

- Fund Deductible Amount Order signed January 10, 2024
- Violations on Order:
 - Failing to report a suspected release within 72 hours to the Division
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The order is pending being sent to the process server for service.

Signed-Pending SOP Order

Summary of FED24-0001

Fac. ID No. 2-010017 / Smartserv No. 2, Knoxville, Anderson County

- Fund Eligibility Denial Order signed December 12, 2023
- Violations on Order:
 - Failing report a suspected release within seventy-two hours to the Division
- Application for Fund Eligibility is denied.
- The order is pending being sent to the process server for service.

Signed-Pending SOP Order

Summary of FED24-0003

Fac. ID No. 4-710202 / Wildwood Market, Cookeville, Putnam County

- Fund Eligibility Denial Order signed January 12, 2024
- Violations on Order:
 - Failing to have piping installed after July 25, 2007 that is 100% double walled or secondarily contained with a single wall that ends in sumps
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to provide release detection capable of detecting a release from tank that routinely contains product
 - Failing to operate and maintain overfill equipment to be in good working condition
 - Failing to perform periodic walkthrough inspections
 - Failing to maintain a log of at least the last 12 months of visual inspections for seeps and drips after removing the dispenser cover

Signed-Pending SOP Order-Continued

Summary of FED24-0003-Cont.

Fac. ID No. 4-710202 / Wildwood Market, Cookeville, Putnam County

- Fund Eligibility Denial Order signed January 12, 2024
- Violations on Order:
 - Failing to test electronic and mechanical components at least annually for proper operation

- Application for Fund Eligibility is denied.

- The order is pending being sent to the process server for service.

Signed-Pending SOP Order

Summary of FED24-0001

Fac. ID No. 2-010017 / Smartserv No. 2, Knoxville, Anderson County

- Fund Eligibility Denial Order signed December 12, 2023
- Violations on Order:
 - Failing report a suspected release within seventy-two hours to the Division
- Application for Fund Eligibility is denied.
- The order is pending being sent to the process server for service.

Signed-Pending SOP Order

Summary of UST22-0039

Fac. ID No. 8-350073/ Q-Mart LLC, Jackson, Hardeman County

- Director's Order signed November 22, 2023
 - Failing to have a designated Class A and Class B Operator
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$4,5600.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST22-0145

Fac. ID No 9-792095/ Quik Stop, Memphis, Shelby County

- Director's Order signed November 22, 2023
 - Failing to have overfill prevention equipment
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$4,800.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST22-0168

Fac. ID No 8-570320/ Varsity Market, Memphis, Jackson County

- Director's Order signed November 22, 2023
 - Failing to inspect overfill prevention equipment
 - Failing to provide release detection method capable of detecting a release from tank that routinely contains product
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$18,720.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0058

Fac. ID No 3-580099/ Jasper Citgo, Chattanooga, Marion County

- Director's Order signed January 10, 2024
 - Failing to provide release detection method capable of detecting a release from tank that routinely contains product
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to perform periodic walkthrough inspections
 - Failing to remove dispenser cover and visually inspect for releases, seeps, drips at least quarterly
 - Failing to successfully complete retraining to the appropriate level of operator class within a timeframe determined by the Division when a significant operational compliance violation is discovered

Signed-Pending SOP Order-Continued

Summary of UST23-0058-Cont.

Fac. ID No 3-580099/ Jasper Citgo, Chattanooga, Marion County

- Director's Order signed January 10, 2024
 - Failure of the facility having one or more UST systems to have one or more persons designated as Class A, Class B and Class C Operators
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$37,440.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0059

Fac. ID No 9-791219/ Park Avenue Citgo, Memphis, Shelby County

- Director's Order signed November 22, 2023
 - Failing to notify the Division of a change in status within 30 days
 - Failing to provide documentation to the Division

- Penalty:
 - Total civil penalty: \$2,160.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0074

Fac. ID No 7-400170/ Express Mart, Jackson, Henry County

- Director's Order signed November 22, 2023
 - Failing to use overfill prevention
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$9,600.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0076

Fac. ID No 9-791530/ Dandy Express, Memphis, Shelby County

- Director's Order signed January 10, 2024
 - Failing to report a change of status for a UST system to the Division within 30 days
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$1,440.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0086

Fac. ID No 9-792730/ Arlington C. Store, Memphis, Shelby County

- Director's Order signed January 10, 2024
 - Failing of facility to have one or more petroleum UST systems to have one or more persons designated as Class A and Class B Operators
 - Failing to have appropriate signage and an instruction manual available for the Class C Operator on site whenever the facility is operating
 - Failing to ensure that electronic and mechanical components are tested annually for proper operation
 - Failing to monitor tanks at least monthly

Signed-Pending SOP Order-Continued

Summary of UST23-0086

Fac. ID No 9-792730/ Arlington C. Store, Memphis, Shelby County

- Director's Order signed January 10, 2024
 - Failing to conduct an annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$
- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0092

Fac. ID No 7-230209/ K. C. One Stop, Jackson, Dyer County

- Director's Order signed November 22, 2023
 - Failing to perform periodic walkthrough inspections
 - Failing to remove dispenser cover and visually inspect for releases, seeps, and drips at least quarterly
 - Failing to test spill prevention equipment at least once every three years
 - Failing to maintain results of annual testing of mechanical and electronic components for three years
 - Failing to test overfill prevention equipment at least once every three years
 - Failing to test line leak detectors annually
 - Failing to inspect impressed current corrosion protection system every sixty days

Signed-Pending SOP Order-Continued

Summary of UST23-0092-Cont.

Fac. ID No 7-230209/ K. C. One Stop, Jackson, Dyer County

- Director's Order signed November 22, 2023
 - Failing to have one or more persons designated as Class A and Class B operators
 - Failing to monitor tanks at least monthly
 - Failing to comply with requirements concerning design, construction, utilization, and/or upgrade of corrosion protection for piping
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to operate and maintain corrosion protection system in accordance with a corrosion expert's design to provide continuous protection
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$42,240.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0111

Fac. ID No 3-330010/ Hil-Stop, Inc., Chattanooga, Hamilton County

- Director's Order signed January 10, 2024
 - Failing to inspect overfill prevention equipment at least once every three years
 - Failing to operate and maintain corrosion protection system in accordance with a corrosion expert's design to provide continuous protection
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$6,960.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0151

Fac. ID No 9-792643/ Diamond Investment LLC, Memphis, Shelby County

- Director's Order signed November 22, 2023
 - Failing to use overfill prevention
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$9,600.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0170

Fac. ID No 8-840053/ Midway Grocery #1, Memphis, Tipton County

- Director's Order signed January 10, 2024
 - Failure to ensure that cathodic protection system is tested every 3 years
 - Failing to install or provide adequate overfill prevention system
 - Failing to conduct annual line tightness tests or do monthly monitoring on pressurized underground piping
 - Failing to successfully complete retraining to the appropriate level of operator Class within timeframe determined by the Division when a significant operational compliance violation is discovered.
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$29,520.00
- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0186

Fac. ID No 7-920074/ Quick Stop, Jackson, Weakley County

- Director's Order signed November 22, 2023
 - Failing to inspect impressed current corrosion protection systems every 60 days
 - Failing to remove dispenser cover and visually inspect for releases, seeps, drips at least quarterly
 - Failing to test spill prevention equipment at least once every three years to ensure the equipment is liquid tight by using vacuum, pressure or liquid
 - Failing to conduct release detection monitoring at least monthly for releases
 - Failing to ensure that cathodic protection system is tested at least every three years thereafter

Signed-Pending SOP Order-Continued

Summary of UST23-0186-Cont.

Fac. ID No 7-920074/ Quick Stop, Jackson, Weakley County

- Director's Order signed November 22, 2023
 - Failing to inspect overfill prevention equipment at least once every three years
 - Failing to perform periodic walkthrough inspections
 - Failing to have met Class C Operator requirements by posting appropriate signage conspicuously
 - Failing to have one or more persons designated as Class A, Class B, and Class C Operators
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$30,600.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed-Pending SOP Order

Summary of UST23-0209

Fac. ID No 7-920104/ Dresden Market and Deli, Jackson, Weakley County

- Director's Order signed January 10, 2024
 - Failing to ensure that cathodic protection system is tested within (6) months of installation and every three (3) years thereafter
 - Failing to cap and secure all other lines, pumps, manways, and ancillary equipment
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$8,160.00

- The Order is currently being worked by a process server to locate the Respondent.

Signed Orders From December 2023

Signed Order

Summary of FDA23-0023

Fac. ID No. 1-900056 / By-Lo Market No. 5, Johnson City, Washington County

- Fund Deductible Amount Order signed October 18, 2023
- Violations on Order:
 - Failing to report a suspected release within seventy-two (72) hours to the Division
 - Failing to repair, replace or close the UST system and begin corrective action if test result indicate that a release exists
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The Order has been appealed and is in OGC for resolution

Signed Order

Summary of FDA23-0030

Fac. ID No. 8-570307/Tennessee Oil # 1, Jackson, Madison County

- Fund Deductible Amount Order signed October 18, 2023
 - Failing to install appropriate overfill prevention systems
- Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The Order is closed. The Respondent did not appeal the deductible and there were no outstanding compliance or remediation issues.

Signed Order

Summary of FDA24-0004

Fac. ID No. 1-900056 / Bull Market No. 2, Jackson, Hardeman County

- Fund Deductible Amount Order signed October 18, 2023
- Violations on Order:
 - Failing to install, calibrate, operate or maintain release detection method for tank in accordance with manufacturer's instructions
 - Failing to perform periodic walkthrough inspections
 - Failing to maintain the last three records of cathodic protection rectifier inspections
 - Failing to install ancillary equipment in accordance with manufacturer's installation instructions
 - Failing to report a suspected release with 72 hours to the Division
 - Failing to have one or more persons designated as Class A, Class B and Class C operators
 - Failing to install appropriate overfill prevention systems
 - Failing to perform overfill prevention systems every 3 years
 - Failing to repair or replace UST systems which have had a structural failure
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The Order has gone final and is OGC for resolution.

Signed Order

Summary of FDA24-0006

Fac. ID No. 2-470150 / Fuel Plus, Knoxville, Knox County

- Fund Deductible Amount Order signed October 26, 2023
- Violations on Order:
 - Failing to provide release detection method capable of detecting a release from tank that routinely contains product
 - Failing to perform periodic walkthrough inspections
 - Failing to install appropriate overfill prevention systems
- Application for Fund Eligibility is approved with a deductible of \$20,000.00
- The Order is closed. The Respondent did not appeal the deductible and there were no outstanding compliance or remediation issues.

Signed Order

Summary of UST22-0068

Fac. ID No. 6-520074 / Fritz's Market and Deli, Columbia, Lincoln County

- Director's Order signed September 28, 2023
 - Failing to monitor tanks at least monthly
 - Failing to have one or more persons designated as Class A, Class B and Class C operators
 - Failing to cooperate with the Division

- Penalty:
 - Total fees and penalties: \$12,240.00

- The Order has gone final and is in OGC for resolution.

Signed Order

Summary of UST22-0092

Fac. ID No. 6-500151/ South End BP, Columbia, Lawrence County

- Director's Order signed September 28, 2023
 - Failing to have a designated Class A and Class B Operator
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$4,5600.00

- The Order has gone Final and is in OGC for resolution.

Signed Order

Summary of UST22-0097

Fac. ID No. 4-930038 /South Young Market, Cookeville, White County

- Director's Order signed September 28, 2023
 - Failing to comply with the order UST21-0034
 - Failing to designate Class A and Class B Operators
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$4,560.00

- Due to an issue determining if the order was served, this order is being reissued and sent back out for service.

Signed Order

Summary of UST22-0126

Fac. ID No. 2-650008 / Glades Grocery, Knoxville, Morgan County

- Director's Order signed September 28, 2023
 - Failing to maintain the last 12 months of records for release detection
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to test spill prevention equipment at least once every 3 years to ensure the equipment is liquid tight
 - Failing to inspect overfill prevention equipment at least once every 3 years
 - Failing to test electronic and mechanical components at least annually for proper operation
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$34,080.00

- The Order is Final and is in OGC for resolution

Signed Order

Summary of UST22-0146

Fac. ID No. 9-791893 / Winchester BP, Memphis, Shelby County

- Director's Order signed September 28, 2023
 - Failing to report a change of status for a UST system within 30 days
 - Failing to ensure that cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to have adequate overfill prevention equipment
 - Failing to cooperate with the Division.

- Penalty:
 - Total civil penalty: \$9,360.00

- The Order is Final and in OGC for resolution.

Signed Order

Summary of UST22-0162

Fac. ID No. 9-792660/Millbranch Quick Stop ,Memphis, Shelby County

- Director's Order signed October 20, 2023
 - Failing to perform the annual walkthrough activity
 - Failing to designate trained Class A and Class B Operators
 - Failing to maintain spill buckets free of liquid and debris
 - Failing to provide documents, testing or monitoring records to the Division

- Penalty:
 - Total civil penalty: \$9,840.00

- The Order is Final and in OGC for resolution.

Signed Order

Summary of UST23-0038

Fac. ID No. 2-150025 / Country Convenience, Knoxville, Cocke County

- Director's Order signed October 20, 2023
 - Failing to keep spill buckets free of liquid
 - Failing to keep a log of monthly inspections of spill bucket inspections
 - Failing to test the impressed current corrosion protection system every 3 years
 - Failing to inspect the impressed current corrosion protection system every 60 days
 - Failing to conduct meter calibrations
 - Failing to maintain a log of the last 12 months of dispenser inspections
 - Failing to conduct release detection monitoring at least monthly on tanks

Signed Order-Continued

Summary of UST23-0038-Continued

Fac. ID No. 2-150025 / Country Convenience, Knoxville, Cocke County

- Director's Order signed October 20, 2023
 - Failing to conduct line tightness test annually
 - Failing to test mechanical line leak detectors annually
 - Failing to designate properly trained Class A and Class B Operators
 - Failing to conduct spill bucket integrity tests every 3 years
 - Failing to test overfill prevention devices every 3 years

- Penalty:
 - Total civil penalty: \$46,800.00

- The Order is Appealed and in OGC for resolution.

Signed Order

Summary of UST23-0108

Fac. ID No. 3-330992 / Hill-Stop Mart, Chattanooga, Hamilton County

- Director's Order signed September 29, 2023
 - Failing to test electronic and mechanical components of the ATG at least annually for proper operation
 - Failing to maintain results of annual testing of the ATG electronic and mechanical components for 3 years
 - Failing to monitor tanks at least monthly for releases
 - Failing to provide corrosion protection for metal piping components that routinely contain petroleum and are in contact with the ground or water
 - Failing to inspect the overfill prevention equipment every 3 years to determine the operability and activation level of the equipment
 - Failing to provide documents, testing, or monitoring records to the Division

- Penalty:
 - Total civil penalty: \$26,640.00

- The Order is Final and in OGC for resolution.

Signed Order

Summary of UST23-0118

Fac. ID No. 2-050147 / Mr. Gas Market No. 24, Knoxville, Blount County

- Director's Order signed September 28, 2023
 - Failing to perform an annual walkthrough inspection
 - Failing to conduct monthly monitoring on pressurized underground piping
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$23,280.00

- The Order is Final and in OGC for resolution.

Signed Order

Summary of UST23-0166

Fac. ID No. 9-7927079 / Prescott Grocery, Memphis, Shelby County

- Director's Order signed June 28, 2023
 - Failing to perform periodic walkthrough inspections
 - Failing to maintain a log of at least the last 12 months of visual inspections for seeps and drips after removing the dispenser cover
 - Failing to inspect overfill prevention system equipment at least once every 3 years
 - Failing to conduct annual line tightness test on pressurized underground piping
 - Failing to monitor tanks at least monthly
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$36,000.00

- The Order is Final and in OGC for resolution.

Signed Order

Summary of UST23-0179

Fac. ID No. 2-870012 / Friends Market and Deli, Knoxville, Union County

- Director's Order signed October 20, 2023
 - Failing to ensure that cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to inspect impressed current corrosion protection system every 60 days
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$5,760.00

- The Order is Final and in OGC for resolution.

Final Orders From December 2023

Final Order

Summary of UST23-0120

Fac. ID No. 2-780269 /Pilot Store No. 315, Knoxville, Sevier County

- Director's Order signed September 28, 2023
 - Failing to have overfill prevention equipment that will automatically shut off the flow into the tanks when the tank is no more than 95% full
 - Failing to provide release detection method of detecting a release from tank that routinely contains product
 - Failing to report a suspected release to the Division within 72 hours
 - Failing to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$29,520.00

- The Order became final on November 17, 2023 and has been referred to OGC. **No change in status.**

Appealed Orders From December 2023

Appealed Order

Summary of UST23-0031

Fac. ID No. 5-191709 / Neighborhood Market, Nashville, Davidson County

- Director's Order signed September 28, 2023
- Violations on Order:
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$4,560.00
- The Order was appealed on November 13, 2023, and is currently being worked in OGC. **No change in status.**

Appealed Order

Summary of UST23-0042

Fac. ID No. 5-750048 / H and S Market, Nashville, Rutherford County

- Director's Order signed September 28, 2023
- Violations on Order:
 - Failing to operate and maintain overfill equipment according to manufacturer's specifications
- Penalty:
 - Total civil penalty: \$12,000.00
- The Order was appealed on November 15, 2023, and is currently being worked in OGC. **No change in status.**

Signed Orders From October 2023

Signed Order

Summary of CRF22-0003

Fac. ID No. 1-300207 / West Main Exxon, Johnson City, Greene County

- Cost Recovery Order signed June 28, 2023
 - Failing to comply with the order UST16-0265
 - Failing to pay fees, penalties and interest on a tank

- Penalty:
 - Total fees and penalties: \$39,024.40

- The Order is Final and is in OGC for resolution.

Signed Order

Summary of FDA23-0024

Fac. ID No. 9-791861/ Walnut Grove Market, Memphis, Shelby County

- Fund Deductible Amount Order signed August 14, 2023
- Violations on Order:
 - Failing to conduct line tightness testing using a method that is capable of detecting a release of at least 1.10 gph
 - Failing to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping, or a breach exists in either wall of secondary containment
- Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The Order is Appealed and in OGC for resolution. Facility has returned to compliance and remediation is still in process. **No change in status.**

Signed Order

Summary of FDA23-0025 and FDA23-0031

Fac. ID No. 9-791072 / GSO Midtown, Memphis, Shelby County

- Fund Deductible Amount Order signed August 3, 2023
- Violations on Order:
 - Failing to install, calibrate, operate or maintain release detection method for piping in accordance with manufacturer's instructions
 - Failing to conduct line tightness testing using a method that is capable of detecting a release of at least 0.10 gph
 - Failing to conduct a system test when there is suspected release to determine whether a leak exists in the tank or piping, or a breach exists in either wall of secondary containment
- Application for Fund Eligibility is approved for each release with a deductible of \$10,000.00
- The Order is Appealed and is in OGC for resolution. **No change in status.**

Signed Order

Summary of FDA23-0027

Fac. ID No. 3-330069 / BFI Waste Services, LLC and Browning-Ferris Industries of Tennessee, Inc., Chattanooga, Hamilton County

- Fund Deductible Amount Order signed September 6, 2023
- Violations on Order:
 - Failing to report a suspected release within seventy-two (72) hours to the Division
 - Failing to install, calibrate, operate or maintain release detection method for tank in accordance with manufacturer's instructions
 - Failing to install any spill prevention system
 - Failing to install appropriate overfill prevention systems
 - Failing to perform periodic walkthrough inspections
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- Settlement was reached December 11, 2023. The respondent has complied and is on probation for one year.

Signed Order

Summary of FDA23-0029

Fac. ID No. 9-792698 / Chelsea, Memphis, Shelby County

- Fund Deductible Amount Order signed September 6, 2023
- Violations on Order:
 - Failing to test electronic and mechanical components at least annually for proper operation
 - Failing to report a change of status for a UST system within 30 days
 - Failing to have one or more UST systems to have one or more persons designated as Class A and Class B
 - Failing to report a suspected release within 72 hours to the Division
 - Failing to have spill prevention equipment that will prevent release of petroleum to the environment
 - Failing to install appropriate overfill prevention systems
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- **Compromise and Settlement sent to the AG for approval.**

Signed Order

Summary of FDA24-0001

Fac. ID No. 5-940072 / Mapco Express No. 3409, Brentwood, Williamson County

- Fund Deductible Amount Order signed September 6, 2023
- Violations on Order:
 - Failing to report a suspected release within seventy-two (72) hours to the Division
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The Order is Final and in OGC for resolution. Remediation continues. The facility has returned to compliance. **No change in status.**

Signed Order

Summary of FDA24-0002

Fac. ID No. 8-350022 / Bull Market, Inc., Jackson, Hardeman County

- Fund Deductible Amount Order signed September 6, 2023
- Violations on Order:
 - Failing to monitor tanks at least monthly
 - Failing to install ancillary equipment in accordance with manufacturer's installation instructions
 - Failing to keep spill catchment basins free of water, dirt, debris, etc.,
 - Failing to install, calibrate, operate or maintain release detection method for tank in accordance with manufacturer's instructions
 - Failing to comply with requirements concerning design, construction, utilization and or upgrade of corrosion protection for piping
 - Failing to repair or replace UST systems which have had a structural failure
 - Failing to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping or a breach exists in either wall of secondary containment
 - Failing to report a suspected release within seventy-two (72) hours to the Division
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The Order is Final and in OGC for resolution. **No change in status.**

Signed Order

Summary of FDA24-0003

Fac. ID No. 8-350109 / Jay Nand LLC dba Yopp's Food Mart, Jackson, Hardeman County

- Fund Deductible Amount Order signed September 6, 2023
- Violations on Order:
 - Failing to test spill prevention equipment at least once every three years
 - Failing to perform overfill prevention system inspections every three years
 - Failing to install appropriate overfill prevention systems
- Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The Order Final and remediation is ongoing. **No change in status.**

Signed Order

Summary of UST22-0106

Fac. ID No. 3-330910 / Lela's Quik Shop, Chattanooga, Hamilton County

- Director's Order signed September 6, 2023
- Violations on Order:
 - Failing to inspect containment sumps as part of the required annual walkthrough inspection
 - Failing to test electronic and mechanical components at least annually for proper operation
 - Failing to test spill prevention equipment at least once every three years
 - Failing to ensure that cathodic protection system is tested every three years
 - Failing to conduct release detection method monitoring at least monthly
 - Failing to report a change of status for a UST system within 30 days
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$54,240.00
- The Order was Appealed and is in OGC for resolution. **No change in status.**

Signed Order

Summary of UST22-0116

Fac. ID No. 3-540063/ Heil Trailer International Co, Chattanooga, McMinn County

- Director's Order signed September 6, 2023
- Violations on Order:
 - Failing to conduct a containment sump integrity test every three years
 - Failing to conduct an annual console operability test
 - Failing to provide release detection method capable of detecting a release from tank that routinely contains product
 - Failing to test spill prevention equipment at least once every three years
 - Failing to test overfill prevention equipment at least once every three years,
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$8,640.00
- The Order was Appealed and is in OGC for resolution. **No change in status.**

Signed Order

Summary of UST22-0133

Fac. ID No. 8-570499/ Mega Mart No. 1, Jackson, Madison County

- Director's Order signed August 3, 2023`
- Violations on Order:
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized piping
 - Failing to have overflow prevention equipment that will automatically shut off the flow into the tank when the tank is no more than ninety-five (95%) full
 - Failing to ensure that electronic and mechanical components are tested annually for proper operation
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$21,600.00
- The Order is Final and is in OGC for resolution. **No change in status.**

Signed Order

Summary of UST22-0135

Fac. ID No. 2-010179/ Johns Food Market, Jackson, Madison County

- Director's Order signed September 6, 2023`
- Violations on Order:
 - Failing to monitor tanks at least monthly
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered
- Penalty:
 - Total civil penalty: \$13,400.00
- The Order is closed. Compliance was reached and we never got proper service on the order so it was closed.

Signed Order

Summary of UST22-0142

Fac. ID No. 8-570347/ 736 Airways LLC, Jackson, Madison County

- Director's Order signed September 6, 2023`
- Violations on Order:
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered
- Penalty:
 - Total civil penalty: \$3,800.00
- The Order is Final and in OGC for resolution.

Signed Order

Summary of UST22-0148

Fac. ID No. 9-791823/ MEX Store No. 027, Memphis, Shelby County

- Director's Order signed September 6, 2023`
- Violations on Order:
 - Failing to have one or more persons designated as a Class A and Class B Operator at a facility having one or more petroleum USTs
 - Failing to perform periodic and annual walkthrough inspections
 - Failing to ensure that electronic and mechanical components are tested annually for proper operation
 - Failing to monitor spill prevention equipment, for UST systems no less frequently than walkthrough inspections are conducted, or to test spill prevention equipment at least once every three years
 - Failing to inspect overfill prevention equipment at least once every three year
 - Failing to test line leak detectors annually
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping

UST22-0148-Continued

Fac. ID No. 9-791823/ MEX Store No. 027, Memphis, Shelby County

- Violations on Order:
 - Failing to ensure that cathodic protection system is tested within six months of installation and every three years thereafter
 - Failing to monitor tanks at least monthly
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$72,240.00

- The Order is Final and in OGC for resolution.

Signed Order

Summary of UST22-0164

Fac. ID No. 2-471214/ Clinton Highway Shell, Knoxville, Knox County

- Director's Order signed September 6, 2023`
- Violations on Order:
 - Failing to have overfill prevention equipment that will alert the transfer operator when the tank is no more than ninety percent (90%) full by restricting the flow into the tank
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$9,600.00
- The Order is Final in OGC for resolution.

Signed Order

Summary of UST22-0172

Fac. ID No. 8-390122/ Reliance Team 22320 LLC, Jackson, Henderson County

- Director's Order signed August 3, 2023
- Violations on Order:
 - Failing to install or provide adequate overfill prevention system
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$7,200.00
- The order was non-served and the division is requesting assistance from OGC to get a different address to attempt.

Signed Order

Summary of UST22-0173

Fac. ID No. 9-793621/ Sohail Hemani, Memphis, Shelby County

- Director's Order signed August 3, 2023
- Violations on Order:
 - Failing to operate and maintain overfill equipment according to manufacturer's specifications
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$2,400.00
- The Division was unable to verify service, so the order is being sent back out for service.

Signed Order

Summary of UST23-0014

Fac. ID No. 7-170004/ Bells Quick Stop, Jackson, Crockett County

- Director's Order signed September 6, 2023
- Violations on Order:
 - Failing to ensure that cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to have overfill prevention equipment that will automatically shut off the flow into the tank when the tank is no more than ninety-five percent full
 - Failing to have spill prevention equipment that will prevent release of petroleum to the environment when the transfer hose is detached from the fill pipe

UST23-0014-Continued

Fac. ID No. 7-170004/ Bells Quick Stop, Jackson, Crockett County

- Violations on Order:
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered,
 - Failing to cooperate with the Division
 - Failing to report a change of status for a UST system to the Division within 30 days
- Penalty:
 - Total civil penalty: \$20,880.00
- The Division was unable to verify service, so the order is being sent back out for service.

Signed Order

Summary of UST23-0030

Fac. ID No. 9-791315/ Flash Market No. 151, Memphis, Shelby County

- Director's Order signed September 6, 2023
- Violations on Order:
 - Failing to designate properly trained Class A and Class B Operator(s)
 - Failing to use overfill prevention
 - Failing to keep spill buckets free of water, dirt, debris, etc.
 - Failing to monitor tanks at least monthly
 - Failing to install shear valve anchoring in accordance with manufacturer instructions
 - Failing to meet corrosion protection requirements
 - Failing to provide documentation to the Division
- Penalty:
 - Total civil penalty: \$21,360.00
- The Division was unable to verify service, so the order is being sent back out for service.

Signed Order

Summary of UST23-0048

Fac. ID No. 2-620041/ BP Mart, Knoxville, Monroe County

- Director's Order signed September 7, 2023
- Violations on Order:
 - Failing to have overfill prevention equipment
 - Failing to ensure that cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to meet Class C Operator requirements by posting appropriate signage conspicuously
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$25,320.00
- The Order is Final and has been referred to OGC for resolution. **No change in status.**

Signed Order

Summary of UST23-0081

Fac. ID No. 3-050091/ One Stop Shop, Chattanooga, Bradley County

- Director's Order signed August 3, 2023
- Violations on Order:
 - Failing to provide an adequate overfill prevention system
 - Failing to install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer's instructions
 - Failing to operate and maintain corrosion protection system to provide continuous protection
 - Failing to cooperate with the Division by failing to provide documents, testing or monitoring records to the Division
 - Failing to successfully complete retraining to the appropriate level of operator Class within a time frame determined by the division when a significant operational compliance violation is discovered
- Penalty:
 - Total civil penalty: \$19,440.00
- Per OGC, the order needed to be revised as the corporation is inactive. The revision has been made. However, the respondent is out of the country until February 23, 2024. So, the order is on hold.

Signed Order

Summary of UST23-0084

Fac. ID No. 3-330565/ Pit Stop Market, Chattanooga, Hamilton County

- Director's Order signed September 7, 2023
- Violations on Order:
 - Failing to test electronic and mechanical components at least annually for proper operation
 - Failing to test the spill prevention equipment every three (3) years to ensure that they are liquid tight
 - Failing to inspect the overfill prevention equipment every three (3) years to determine the operability and activation level of this equipment
 - Failing to perform monthly walkthrough inspections
 - Failing to ensure that the cathodic protection system is tested every three (3) years
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$34,560.00
- The Order was Appealed and is in OGC for resolution. **No change in status.**

Signed Order

Summary of UST23-0093

Fac. ID No. 8-570521/ Ansh Properties Inc., Jackson, Madison County

- Director's Order signed July 18, 2023
- Violations on Order:
 - Failing to test replace or repair the failed spill bucket
 - Failing to replace the failed ball float overflow equipment
 - failing to test the electronic and mechanical components of the ATG annually
 - failing to designate trained Class A and Class B operator(s) in the Division's online Tank Helper system
 - Failing to provide documents, testing, or monitoring records to the Division
- Penalty:
 - Total civil penalty: \$21,360.00
- The Order is appealed and in OGC for resolution.

Signed Order

Summary of UST23-0112

Fac. ID No. 6-590042/ Super Drive In Market, Columbia, Marshall County

- Director's Order signed September 7, 2023
- Violations on Order:
 - Failing to conduct annual line tightness tests or do monthly monitoring on pressurized underground piping
 - Failing to inspect overfill prevention equipment at least once every three years, the Respondent violated Rule 0400-18-01-.02(3)(c)(2), which states:
 - Failing to conduct release detection monitoring at least monthly
 - Failing to ensure that cathodic protection system is tested within six months of installation and every three years thereafter
 - Failing to cooperate with the Division by failing to provide documents, testing or monitoring records to the Division
- Penalty:
 - Total civil penalty: \$14,880.00
- The Order is Final and in OGC for resolution.

Signed Order

Summary of UST23-0117

Fac. ID No. 8-570511/ Bowling Convenience Inc., Jackson, Madison County

- Director's Order signed September 7, 2023
- Violations on Order:
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to test line leak detectors annually
 - Failing to monitor spill prevention equipment at least once every three years
 - Failing to inspect overfill prevention equipment at least once every three years
 - Failing to test electronic and mechanical components at least annually for proper operation

UST23-0117-Continued

Fac. ID No. 8-570511/ Bowling Convenience Inc., Jackson, Madison County

- Violations on Order:
 - Failing to perform periodic walkthrough inspections
 - Failing to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping, or a breach exists in either wall of secondary containment
 - Failing to cooperate with the Division by failing to provide documents, testing or monitoring records to the Division

- Penalty:
 - Total civil penalty: \$34,080.00

- The Order was appealed and is in OGC for resolution.

Signed Order

Summary of UST23-0119

Fac. ID No. 5-191810/ Murphy USA No. 6986, Nashville, Davidson County

- Director's Order signed September 7, 2023
- Violations on Order:
 - Failing to perform periodic walkthrough inspections
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to report a suspected release to the division within 72 hours after discovery of released petroleum, the occurrence of unusual operating conditions or the occurrence of monitoring results that indicate a release may have occurred
 - Failing to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping or a breach exists in either wall of secondary containment

UST23-0119-Continued

Fac. ID No. 5-191810/ Murphy USA No. 6986, Nashville, Davidson County

- Violations on Order:
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division

- Penalty:
 - Total civil penalty: \$24,720.00

- The Order has gone Final and is in OGC for resolution.

Signed Order

Summary of UST23-0129

Fac. ID No. 2-070116/ Eagle Market, Knoxville, Campbell County

- Director's Order signed September 7, 2023
- Violations on Order:
 - Failing to have an adequate spill prevention system
 - Failing to inspect overfill prevention equipment at least once every three years
 - Failing to cooperate with the Division by failing to provide documents, testing, or monitoring records to the Division
- Penalty:
 - Total civil penalty: \$19,200.00
- The Order was appealed on October 6, 2023. Compliance has been met. Case is in OGC for resolution.

Signed Order

Summary of UST23-0150

Fac. ID No. 9-79137/ Oil City, Memphis, Shelby County

- Director's Order signed September 7, 2023
- Violations on Order:
 - Failing to pay fees, penalties and interest on a tank
- Penalty:
 - Total fees and penalties: \$4,000.00
- The Order was served and will be sent to OGC for resolution.

Final Orders From October 2023

Final Order

Summary of CRF22-0002

Fac. ID No. 1-900436/ Neal Story and Son, Inc., Johnson City, Washington County

- Cost Recovery Order signed July 18, 2023`
- Violations on Order:
 - Failing to comply with order UST18-0047
 - Failing to pay fees, penalties, and interest on a tank
- Penalty:
 - Total fees and penalties: \$10,113.83
- The Order became final on September 15, 2023, and has been referred to OGC. Demand letter has been issued but no response to date. **No change in status.**

Final Order

Summary of FDA23-0026

Fac. ID No. 2-450179 / Pilot Travel Centers, LLC dba Pilot #4596, Knoxville, Jefferson County

- Fund Deductible Amount Order signed August 11, 2023
- Violations on Order:
 - Failing to report a suspected release within seventy-two (72) hours to the Division
 - Failing to test spill prevention equipment at least once every three years
 - Failing to perform overfill prevention system inspections every three years
- Application for Fund Eligibility is approved with a deductible of \$30,000.00
- The Order was final September 16, 2023, and has been referred to OGC. Remediation continues. **No change in status.**

Final Order

Summary of UST22-0089

Fac. ID No. 2-471523 / Ian's Market No. 73, Knoxville, Knox County

- Director's Order signed August 3, 2023
 - Failing to have one or more persons designated as Class A, Class B, and Class C Operators
 - Failing to have tanks installed after July 25, 2007, monitored for a release at least every thirty (30) days
 - Failing to have piping installed after July 25, 2007, monitored for a release at least every thirty (30) days
 - Failing to notify the Division at least 15 days prior to the installation of any tank and/or new UST system construction activities at the site
 - Failing to register tanks with the Division prior to delivery of petroleum product
 - Failing to notify the Commissioner at least 15 days in advance of the date USTs are installed for storage of petroleum substances, specifying the age, size, type, location, and uses of such tanks

UST22-0089-Continued

Fac. ID No. 2-471523 / Ian's Market No. 73, Knoxville, Knox County

- Director's Order signed August 3, 2023
 - Failing to certify installation of USTs in accordance with Rule 0400-18-01-.03(1)(d)1. within 15 days following completion of the installation
 - Failing to submit notification of a UST system installation to the Division within 15 days
 - Failing to cooperate with the Division by failing to provide documents, testing, or monitoring records to the Division

- Penalty:
 - Total civil penalty: \$44,856.00

- The Order became final on September 15, 2023, and has been referred to OGC. **No change in status.**

Final Order

Summary of UST22-0133

Fac. ID No. 8-570499/ Mega Mart No. 1, Jackson, Madison County

- Director's Order signed August 3, 2023`
- Violations on Order:
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to have overflow prevention equipment that will automatically shut off the flow into the tank when the tank is no more than ninety-five (95%) full;
 - Failing to ensure that electronic and mechanical components are tested annually for proper operation
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$21,600.00
- The Order is Final and will be sent to OGC for resolution. **No change in status.**

Final Order

Summary of UST22-0134

Fac. ID No. 4-880030/ Vajr, Inc. d/b/a Quick Mart., Cookeville, Van Buren County

- Director's Order signed August 3, 2023
- Violations on Order:
 - Failing to ensure that electronic and mechanical components are tested annually for proper operation
 - Failing to have overfill prevention equipment that will automatically shut off the flow into the tank when the tank is no more than ninety-five (95%) full;
 - Failure to have one or more persons designated as Class A, Class B, and Class C Operators for facilities having one or more petroleum UST systems
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$18,960.00
- The order has gone final and has been referred to OGC for resolution. Facility has returned to compliance and a settlement will be drafted. **No change in status.**

Final Order

Summary of UST22-0167

Fac. ID No. 4-250082/ Murphy USA No. 7316, Cookeville, Fentress County

- Director's Order signed August 11, 2023`
- Violations on Order:
 - Failing to have an adequate overfill prevention system
 - Failing to successfully complete retraining to the appropriate level of operator class within a time frame determined by the Division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division by failing to provide documents, testing, or monitoring records to the Division
- Penalty:
 - Total civil penalty: \$7,200.00
- The Respondent paid the full penalty and will be on probation for one year.

Final Order

Summary of UST23-0020

Fac. ID No. 2-010195/ Norris Health and Rehabilitation, Knoxville, Anderson County

- Director's Order signed July 18, 2023`
- Violations on Order:
 - Failing to perform periodic walkthrough inspections
 - Failing to test electronic and mechanical components at least annually for proper operation
 - Failing to report a suspected release within 72 hours to the Division
 - Failing to follow release investigation and confirmation steps within 30 days when there is a suspected release
- Penalty:
 - Total civil penalty: \$7,200.00
- The Order became final on September 15, 2023, and has been referred to OGC. Demand letters have been sent but no response to date. **No change in status.**

Final Order

Summary of UST23-0021

Fac. ID No. 2-470880/ Ian's Market No. 41, Knoxville, Knox County

- Director's Order signed July 18, 2023`
- Violations on Order:
 - Failing to provide release detection method capable of detecting a release from tank that routinely contains product
 - Failing to ensure that cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to report a change of status for a UST system within 30 days
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$6,000.00
- The Order became final on September 10, 2023, and has been referred to OGC. **No change in status.**

Final Order

Summary of UST23-0040

Fac. ID No. 2-1580127/ Newport Market & Deli, Knoxville, Cocke County

- Director's Order signed July 18, 2023`
- Violations on Order:
 - Failing to conduct annual line tightness tests or do monthly monitoring on pressurized underground piping,
 - Failing to successfully complete retraining to the appropriate level of operator Class within a time frame determined by the division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$6,960.00
- The Order became final on August 28, 2023, and has been referred to OGC. Case is being set for hearing. **No change in status.**

Final Order

Summary of UST23-0079

Fac. ID No. 1-100176/ Franks Market, Johnson City, Carter County

- Director's Order signed July 18, 2023`
- Violations on Order:
 - Failing to pay fees, penalties and interest on a tank
- Penalty:
 - Total fees and penalties: \$2,000.00
- The Order became final on September 14, 2023, and has been referred to OGC. Respondent is claiming that these fees are not owed. **No change in status.**

Final Order

Summary of UST23-0100

Fac. ID No. 8-360015/ 64 Quick Stop, Jackson, Hardin County

- Director's Order signed August 3, 2023`
- Violations on Order:
 - Failing to have one or more persons designated as Class A, Class B,
 - Failing to conduct annual line tightness tests or do monthly monitoring on pressurized underground piping
 - Failing to inspect overfill prevention equipment at least once every three years
 - Failing to cooperate with the Division by failing to provide documents, testing or monitoring records to the Division
- Penalty:
 - Total civil penalty: \$14,160.00
- The Order became final on September 16, 2023, and has been referred to OGC. The Respondent has claimed inability to pay and the Inability to Pay forms have been sent to the Respondent. **No change in status.**

Appealed Orders From October 2023

Appealed Order

Summary of FED23-0007

Fac. ID No. 2-070042 / Jeff's Gas and Tobacco, Knoxville, Campbell County

- Fund Eligibility Denial Order signed July 18, 2023
- Violations on Order:
 - Failure to submit the application for fund eligibility within ninety days of the confirmed release
 - Total application for fund eligibility was denied.
- The Agreed Order has been executed and Division is waiting on a notarized grant of access. The Division will continue to finish the remediation at the site.

Appealed Order

Summary of UST23-0085

Fac. ID No. 2-470122/ Speedy Market & Deli, Knoxville, Knox County

- Director's Order signed August 3, 2023`
- Violations on Order:
 - Failing to pay fees, penalties, and interest on a tank
- Penalty:
 - Total fees and penalties: \$12,000.00
- The Order was appealed September 5, 2023, and is currently in OGC. The Respondent is claiming inability to pay. Application has been sent to the Respondent.

Appealed Order

Summary of UST23-0087

Fac. ID No. 2-010076/ Lee's Food Mart No. 125, Knoxville, Anderson County

- Director's Order signed July 18, 2023`
- Violations on Order:
 - Failing to report a change of status for a UST system within 30 days
 - Failing to have one or more persons designated as Class A, Class B, and Class C Operators
 - Failing to install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer's instructions
 - Failing to operate and maintain corrosion protection system to provide continuous protection
 - Failing to cooperate with the Division by failing to provide documents, testing or monitoring records to the Division,
- Penalty:
 - Total civil penalty: \$25,200.00
- The Order was appealed August 4, 2023, and is currently in OGC. The facility has returned to compliance.

Appealed Order

Summary of UST23-0099

Fac. ID No. 8-200090/ L&T Country Store, LLC, Jackson, Decatur County

- Director's Order signed July 18, 2023`
- Violations on Order:
 - Failing to continue operation and maintenance of release detection in a temporarily closed tank system that contains greater than 1 inch of liquid and or residue
 - Failing to conduct release detection monitoring at least monthly for releases
 - Failing to ensure that electronic and mechanical components are tested annually for proper operation
 - Failing to have one or more persons designated as Class A, Class B, and Class C Operators
 - Failing to cooperate with the Division by failing to provide documents, testing or monitoring records to the Division
- Penalty:
 - Total civil penalty: \$14,880.00
- The Order was appealed August 17, 2023, and is currently in OGC. OGC sent revised settlement to opposing counsel on January 19, 2024, for review and approval.

Appealed Order

Summary of UST23-0113

Fac. ID No. 2-471458/ Casey's General Store No. 4204, Knoxville, Knox County

- Director's Order signed August 3, 2023`
- Violations on Order:
 - Failing to ensure that within 30 days following repair, spill or overfill prevention equipment is tested or inspected
 - Failing to provide a release detection method capable of detecting a release from tank(s) that routinely contain product
 - Failing to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping or a breach exists in either wall of secondary containment
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division by failing to provide documents, testing or monitoring records to the Division
- Penalty:
 - Total civil penalty: \$15,120.00
- The Order was appealed, and an Agreed Order was reached. The respondent has paid the upfront civil penalty and the cost of service and will be on probation for one year.

Signed Orders From August 2023

Signed Order

Summary of CRF22-0004

Fac. ID No. 2-010140 / Volunteer X-Press Services No. 2 LLC, Rocky Top, Anderson County

- Cost Recovery Order signed June 28, 2023
 - Failing to comply with the order UST14-0189
 - Failing to pay fees, penalties and interest on a tank
- Penalty:
 - Total civil penalty: \$6,000.00

- The Order has now been served to both Respondents and gone final for both respondents. The order is in OGC for resolution.

Signed Order

Summary of FDA23-0022

Fac. ID No. 3-330884 / Circle K Store No. 4703, Chattanooga, Hamilton County

- Fund Deductible Amount Order signed June 28, 2023
- Violations on Order:
 - Failing to test line leak detectors annually
- Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The Order has gone final, and remediation is in process. **No change in status.**

Signed Order

Summary of FED23-0006

Fac. ID No. 4-710295 / Love's Travel Stop No. 3330, Cookeville, Putnam County

- Fund Denial Order signed May 30, 2023
- Violations on Order:
 - Failing to install appropriate overflow prevention systems
 - Failing to report a suspected release to the Division within 72 hours
- Penalty:
 - Total civil penalty: \$9,200.00
- The Order was appealed August 7, 2023, and is in OGC for resolution. **No change in status.**

Signed Order

Summary of UST22-0050

Fac. ID No. 6-280170 / Parul, Inc. d/b/a All Stop, Columbia, Giles County

- Director's Order signed April 6, 2023
- Violations on Order:
 - Failing to test spill buckets every three years
 - Failing to conduct line tightness tests annually
 - Failing to test overfill devices every three years
 - Failing to conduct ATG operability tests annually
 - Failing to test line leak detectors annually
 - Failing to designate properly trained Class A and Class B Operators
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$28,560.00
- The Order has gone final and is in OGC for resolution. Compliance documents received October 31, 2023. **No change in status.**

Signed Order

Summary of UST22-0098

Fac. ID No. 6-600038 / Gas-N-Go, Columbia, Maury County

- Director's Order signed April 6, 2023
- Violations on Order:
 - Failing to inspect overfill prevention equipment at least once every three years
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$4,800.00
- The Order has gone final and is in OGC for resolution. **No change in status.**

Signed Order

Summary of UST22-0123

Fac. ID No. 8-570368 / Denmark Truckstop, Inc., Jackson, Madison County

- Director's Order signed June 28, 2023
- Violations on Order:
 - Failing to have one or more persons designated as Class A, Class B and Class C Operator
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$4,560.00
- The Order was non-served. The Order is still being worked to locate a viable address for the Respondent.

Final Orders From August 2023

Final Order – In OGC

Summary of UST23-0015

Fac. ID No. 4-800043 / Martin's Grocery, Cookeville, Hardin County

- Director's Order signed June 8, 2023
- Violations on Order:
 - Failing to monitor spill prevention system equipment, for UST systems, no less frequently than walkthrough inspections are conducted, or to test spill prevention equipment at least once every three years
 - Failing to inspect overfill equipment at least once every three years
 - Failing to test line leak detectors annually
 - Failing to conduct annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to install ancillary equipment and containment systems in accordance with manufacturer's instructions

Final Order UST23-0015 cont.

Summary of UST23-0015

- Violations on Order:
 - Failing to successfully complete retraining to the appropriate level of operator Class within a timeframe determined by the Division when a significant operational compliance violation is discovered
 - Failing to ensure that electronic and mechanical components of release detection are tested annually for proper operation
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$45,360.00
- The Order has gone final and is in OGC for resolution. **No change in status.**

Final Order – In OGC

Summary of UST22-0182

Fac. ID No. 7-090134 / A and H Quick Stop No. 3, Jackson, Carroll County

- Director's Order signed April 6, 2023
- Violations on Order:
 - Failing to install any overflow prevention system
 - Failing to report a change of status for a UST system within 30 days
 - Failing to successfully complete retraining to the appropriate level of operator Class within a time frame determined by the Division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$13,920.00
- The Order has gone final and is in OGC for resolution. There are some issues regarding ownership due to a lease to own agreement. **No change in status.**

Final Order

Summary of FDA23-0012

Fac. ID No. 7-030033 / North Forty Truckstop, Inc., Jackson, Benton County

- Fund Deductible Amount Order signed February 2, 2023
- Violations on Order:
 - Failing to install any spill prevention system
- Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The Order has gone final for one Respondent, and remediation is ongoing. Division still working to serve second Respondent. **No change in status.**

Final Order

Summary of FED23-0005

Fac. ID No. 5-630031/Q Pump, Nashville, Montgomery County

- Fund Eligibility Denial Order signed April 6, 2023
- Violations on Order:
 - Failing to report a suspected release within seventy-two hours to the Division
- The Application for Fund Eligibility is denied.
- The Order has gone Final, and remediation is still ongoing. **Civil penalty of \$3,200 paid.**

Final Order

Summary of UST22-0115R

Fac. ID No. 0-792501 / UTHSC Hamilton Eye Clinic, Memphis, Shelby County

- Director's Order signed May 31, 2023
- Final on June 15, 2023
- Violations on Order:
 - Failing to provide a release detection method capable of detecting a release from the tank or piping that routinely contains product
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$3,840.00
- The Respondent paid the civil penalty in full. Case is pending installation of release detection method and monthly TTT receipt. The Respondent continues to submit monthly tank tightness tests as release detection while waiting to get the automatic tank gauge installed. **No change in status.**

Final Order – In OGC

Summary of UST22-0161

Fac. ID No. 2-470970 / Humphammer's Market, Knoxville, Knox County

- Director's Order signed April 6, 2023
- Final on May 21, 2023
- Violations on Order:
 - Failing to pay fees, penalties, and interest on a tank
- Penalty:
 - Total fees, penalties and interest: \$36,688.08
- The Order has gone Final and is in OGC for resolution. OGC working on how best to move forward on this fees-only order. **No change in status.**

Final Order – In AG’s Office

Summary of UST23-0005

Fac. ID No. 2-620135 / Vic’s Texaco Service, Knoxville, Monroe County

- Director’s Order signed May 9, 2023
- Final on June 19, 2023
- Violations on Order:
 - Failing to comply with final Order UST21-0043
- The Respondents were required to submit a permanent closure application.
- The Order is Final and is currently in the AG’s office for resolution. **No change in status.**

Appealed Orders From August 2023

Appealed Order

Summary of UST23-0012

Fac. ID No. 8-360055 / 65 Quick Stop, Jackson, Hardin County

- Director's Order signed June 28, 2023
- Violations on Order:
 - Failing to conduct release detection monitoring at least monthly
 - Failing to do monthly monitoring on pressurized underground piping
 - Failing to perform periodic and annual walkthrough inspections
 - Failing to successfully complete retraining to the appropriate level of operator Class within a time frame determined by the Division when a significant operational compliance violation is discovered
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$42,240.00
- The Order was appealed. **Agreed order reached. Respondent has 30 days to return to compliance, is on a 12-month payment plan for the \$29,358.66 upfront penalty and is on probation for one year.**

Appealed Order – In OGC

Summary of UST22-0101

Fac. ID No. 2-470947 / Stop N Go Market, Knoxville, Knox County

- Director's Order signed May 9, 2023
- Violations on Order:
 - Failing to inspect overfill prevention equipment at least once every three years
 - Failing to test spill prevention equipment at least once every three years
 - Failing to test electronic and mechanical components at least annually for proper operation
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$14,400.00
- The Order was appealed. Settlement reached and the upfront of \$3,725 has been paid. Site will remain on probation until September 25, 2024. **No change in status.**

Appealed Order – In OGC

Summary of UST22-0105

Fac. ID No. 4-180065/ Sunrise Shell, Cookeville, Cumberland County

- Director's Order signed May 9, 2023
- Violations on Order:
 - Failing to ensure that a cathodic protection system is tested every three years
 - Failing to have one or more persons designated as Class A, Class B and Class C operators
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$6,000.00
- The Order was appealed. Tanks were permanently closed. **Case is now closed.**

Appealed Order – In OGC

Summary of UST22-0138

Fac. ID No. 9-792253/ Express Stop, Memphis, Shelby County

- Director's Order signed May 8, 2023
- Violations on Order:
 - Failing to have one or more persons designated as Class A, Class B, and Class C Operators at a facility with one or more petroleum UST systems
 - Failing to install, calibrate, operate or maintain release detection method for tank in accordance with manufacturer's instructions
 - Failing to have overfill prevention equipment that will automatically shut off the flow into the tank when the tank is no more than ninety-five percent full
 - Failing to keep spill catchment basins free of water, dirt, debris and/or other substances that could interfere with the ability of the catchment basin to prevent spills
 - Failing to monitor tanks at least monthly
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$17,280.00
- The Order was appealed. OGC is currently setting case for hearing. **No change in status.**

Appealed Order – In OGC

Summary of UST22-0177

Fac. ID No. 1-820461/ Hickory Tree Store, Johnson City, Sullivan County

- Director's Order signed May 9, 2023
- Violations on Order:
 - Failing to monitor spill prevention equipment, for UST system no less frequently than walkthrough inspections are conducted, or to test spill prevention equipment at least once every three years
 - Failing to inspect overfill prevention equipment at least once every three years
 - Failing to ensure that cathodic protection system is tested within six months of installation and every three years thereafter
 - Failing to conduct release detection monitoring at least monthly
 - Failing to remove dispenser cover and visually inspect for releases, seeps or drips at least quarterly
 - Failing to have one or more persons designated as Class A, Class B, and Class C Operators
 - Failing to have met Class C requirements by posting appropriate signage conspicuously
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$15,240.00
- The Order was appealed and is currently in OGC. **No change in status.**

Signed Orders From April 2023 Board Report

Signed Order – In AG's Office

Summary of UST22-0048

Fac. ID No. 3-060086 / Mr. Zip #547, Cleveland, Bradley County

- Director's Order signed March 1, 2023
- Violations on Order:
 - Failing to conduct an annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to test line leak detectors annually
 - Failing to keep spill catchment basins free of water, dirt, debris, etc.
 - Failing to test spill prevention equipment at least once every 3 years
 - Failing to install, calibrate, operate or maintain a release detection method for tanks in accordance with manufacturer's instructions

Signed Order UST22-0048 cont.

Summary of UST22-0048

- Violations on Order:
 - Failing to test overflow prevention equipment at least once every 3 years
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$39,600.00
- The Order is Final and is currently in the AG's office for resolution.

Signed Order – In AG's Office

Summary of UST22-0099

Fac. ID No. 9-791526 / Cleveland Marathon, Memphis, Shelby County

- Director's Order signed January 11, 2023
- Violations on Order:
 - Failing to report a change of status for a UST system within 30 days
 - Failing to operate and maintain overfill equipment to be in good working condition in accordance with the manufacturer's specifications
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$5,520.00
- The Order is final and has been referred to the AG's Office for resolution.

Signed Order

Summary of UST22-0112

Fac. ID No. 3-580035 / Former Clarks Auto Clinic, Jasper, Marion County

- Director's Order signed November 22, 2022
- Violations on Order:
 - Failing to pay fees, penalties, and interest on a tank
- Penalty:
 - Total civil penalty: \$15,500.00
- The Order went final. Compromise and settlement reached. Respondent is on a 12-month payment plan for the \$6,858.31 upfront penalty and first payment of \$693.53 was received December 6, 2023.

Signed Order

Summary of UST22-0113

Fac. ID No. 8-550029 / Former Southside Grocery, Selmer, McNairy County

- Director's Order signed November 22, 2022
- Violations on Order:
 - Failing to pay fees, penalties, and interest on a tank
- Penalty:
 - Total civil penalty: \$23,250.00
- The fees-only Order was non-served and is currently on hold per direction of senior management while different approach to past to fee only orders is reviewed with OGC and the AG's Office.

Signed Order

Summary of UST22-0119

Fac. ID No. 3-330905 / John's Food Mart, Chattanooga, Hamilton County

- Director's Order signed January 11, 2023
- Violations on Order:
 - Failing to perform release detection monitoring of tanks at least monthly
 - Failing to install, calibrate, operate, or maintain release detection method for piping in accordance with manufacturer's instructions
 - Failing to have one or more trained persons designated as Class A and Class B Operators
 - Failing to place a sign or instruction manual where the Class C operator would be expected to see it during the normal course of their work
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$23,400.00
- The Order was non-served. The Order is still being worked to locate a viable address for the Respondent but with no results so far. **No change in status.**

Final Orders From the April 2023 Board Report

Final Order – In OGC

Summary of UST22-0178

Fac. ID No. 9-791879 / Elvis Presley BP, LLC, Memphis, Shelby County

- Director's Order signed March 16, 2023
- Violations on Order:
 - Failing to install any spill prevention system
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$2,400.00
- The Order has become Final and is in OGC for resolution. Compromise and Settlement drafted but not signed by Respondent. Case has been referred to the AG for resolution. **No change in status.**

Final Order – In AG's Office

Summary of UST22-0066

Fac. ID No. 9-791576 / NASR Investment, LLC, Memphis, Shelby County

- Director's Order signed March 16, 2023
- Violations on Order:
 - Failing to ensure that within 30 days following repair, the spill or overflow prevention equipment is tested or inspected
 - Failing to monitor piping installed after July 25, 2007, for a release at least every 30 days
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$6,720.00
- The Order is Final. Demand letter has been issued but no response. **Case is currently in the AG's office for resolution.**

Final Order – In AG's Office

Summary of UST22-0076

Fac. ID No. 5-830325 / Old Swifty Station, Portland, Sumner County

- Director's Order signed March 16, 2023
- Violations on Order:
 - Failing to ensure that within 30 days following repair, the spill or overfill prevention equipment is tested or inspected
 - Failing to monitor piping installed after July 25, 2007, for a release at least every 30 days
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$10,320.00
- The Order is final and has been referred to the AG's Office for resolution. **No change in status.**

Final Order – In OGC

Summary of CRF22-0001

Fac. ID No. 4-890158 / TNT Country Store, McMinnville, Warren County

- Cost Recovery Order signed February 27, 2023
 - Failing to pay fees, penalties and interest on a tank
 - Failing to provide a release detection method capable of detecting a release from a tank that routinely contains product
 - Failing to ensure that a cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to keep spill catchment basins free of water, dirt, debris, etc.
 - Failing to keep a log of monthly inspection of spill catchment basins for 12 months
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$14,490.46
- Order has gone Final and is in OGC for resolution. **No change in status.**

Final Order

Summary of FDA23-0018

Fac. ID No. 4-930009 / Highway 70 Market, Sparta, White County

- Fund Deductible Amount Order signed March 17, 2023
- Violations on Order:
 - Failing to operate and maintain corrosion protection system to provide continuous protection
- Application for Fund Eligibility is approved with a deductible of \$10,000.00
- The Order is final and assesses no civil penalty. Remediation is ongoing.

Final Order – In OGC

Summary of CRF21-0003

Fac. ID No. 9-790809 / Perkins BP, Memphis, Shelby County

- Cost Recovery Order signed November 22, 2022
- Violations on Order:
 - Failing to pay fees, penalties and interest on a tank
 - Failing to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping, or a breach exists in either wall of secondary containment
 - Failing to conduct a site check properly when there is environmental contamination present
 - Failing to keep a log of monthly inspections of spill catchment basins for 12 months
 - Failing to test line leak detectors annually in accordance with guidance provided by the Division and the manufacturer's instructions
 - Failing to inspect impressed current corrosion protection systems every 60 days
 - Failing to conduct an annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to ensure that a cathodic protection system is tested every three years
 - Failing to conduct release detection monitoring at least monthly for releases

Final Order CRF21-0003 cont'd.

- Failing to install, calibrate, operate or maintain a release detection method for tanks
- Failing to maintain a log of at least the last 12 months of visual inspections for seeps and drips after removing the dispenser covers
- Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$72,480.00
- The Order has been served to one Respondent. It has gone final and been referred to OGC. The other Respondent has not been served. **Served Respondent submitted Permanent Closure Application and permanent closure underway. Case resolution on hold pending completion of permanent closure activities.**

Final Order

Summary of FED23-0002

Fac. ID No. 4-710026 / Express Mart (Bread Box No. 30), Cookeville, Putnam County

- Fund Denial Order signed February 2, 2023
- Final on March 18, 2023
- Violations on Order:
 - Failing to operate a petroleum UST system in compliance with the Act
- The Order is Final. Respondent submitted an inability-to-pay application which is being processed. **No change in status.**

Final Order

Summary of UST22-0127

Fac. ID No. 8-550014 / Suncoco f/k/a Flash Market # 34, Selmer, McNairy County

- Director's Order signed February 27, 2023
- Violations on Order:
 - Failing to have one or more persons designated as Class A, Class B and Class C Operators
 - Failing to inspect an impressed current corrosion protection system every 60 days
 - Failing to ensure that a cathodic protection system is tested every 3 years
 - Failing to ensure that a cathodic protection is functioning as designed and is effectively preventing corrosion
 - Failing to continue operation and maintenance of release detection in a temporarily closed tank system that contains greater than 1 inch of liquid and/or residue
 - Failing to permanently close a substandard UST system
- Penalty:
 - Total civil penalty: \$33,800.00
- The Order was appealed. Settlement was reached and respondent is on a 10-month payment plan for the \$8,450 upfront penalty. **No change in status.**

Appealed Orders From April 2023 Board Report

Appealed Order

Summary of UST22-0163

Fac. ID No. 9-791529 / Best Corner Grocery, Memphis, Shelby County

- Director's Order signed January 11, 2023
- Violations on Order:
 - Failing to provide overfill prevention for the three UST systems
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$7,200.00
- The Order was appealed. Agreed order was reached and respondent is on a 10-month payment plan for the \$4,600 upfront penalty and one-year probationary period. First payment of \$460 received December 27, 2023.

Appealed Order – In OGC

Summary of UST23-0018

Fac. ID No. 9-791289 / Hop In No. 334, Memphis, Shelby County

- Director's Order signed February 27, 2023
- Violations on Order:
 - Failing to provide release detection method capable of detecting a release from tank that routinely contains product
 - Failing to ensure that electronic and mechanical components are tested annually for proper operation
 - Failing to conduct a system test when there is a suspected release to determine whether a leak exists in the tank or delivery piping or a breach exists
 - Failing to install, calibrate, operate, or maintain release detection method for tank in accordance with manufacturer's instructions
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$33,600.00
- The Order was Appealed. The hearing is set for March 26-26, 2024. **No change in status.**

Appealed Order – In OGC

Summary of FDA23-0015

Fac. ID No. 5-830084 / Hendersonville Medical Center, Hendersonville, Sumner County

- Fund Deductible Amount Order signed February 2, 2023
- Violations on Order:
 - Failing to monitor tanks at least monthly
 - Failing to perform overfill prevention system inspections every 3 years
 - Failing to perform periodic walkthrough inspections
 - Failing to test spill prevention equipment at least once every 3 years
 - Failing to keep spill catchment basins free of water, dirt, debris, etc.
 - Failure to have one or more persons designated as Class A, Class B and Class C operators
- Application for Fund Eligibility is approved with a deductible of \$20,000.00
- Penalty:
 - Total civil penalty: \$14,400.00
- The Order was appealed and is currently in OGC for resolution. Tanks were permanently closed, and the Permanent Closure Report approved. Remediation is ongoing.

Appealed Order – In OGC

Summary of UST22-0014

Fac. ID No. 8-570037 / Lane College, Jackson, Madison County

- Director's Order signed January 11, 2023
- Violations on Order:
 - Failing to provide release detection method capable of detecting a release from tank that routinely contains product
 - Failing to ensure that the cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to inspect impressed current corrosion protection systems every 60 days
 - Failing to operate and maintain corrosion protection system to provide continuous protection
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$16,800.00
- The Order was appealed and is currently in OGC for resolution. Case still with APD. Some compliance has been reached, but still has some items to be completed. **No change in status.**

Appealed Order – In OGC

Summary of UST22-0093

Fac. ID No. 2-450050 / Easy-In Market, White Pine, Jefferson County

- Director's Order signed February 7, 2023
- Violations on Order:
 - Failing to test electronic and mechanical components at least annually for proper operation
 - Failing to test spill prevention equipment at least once every 3 years to ensure the equipment is liquid tight by using vacuum pressure or liquid
 - Failing to inspect overfill prevention equipment at least once every 3 years
 - Failing to ensure that cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$15,840.00
- The Order was appealed, and a settlement was reached. Respondent must complete operator retraining, pay \$11,361.40 upfront penalty, and complete one-year probationary period. Motion to dismiss appeal filed.

Appealed Orders from December 2022 Board Meeting

Appealed Order – In OGC

Summary of FED22-0006

Fac. ID No. 9-793646 / Macon Express, Memphis, Shelby County

- Fund Denial Order signed November 18, 2022
- Final on December 29, 2022
- Violations on Order:
 - Failing to notify the Commissioner at least 15 days in advance of the date USTs are installed for storage of petroleum substances
 - Failing to submit a pre-installation notification form for all USTs and/or UST systems for which installation and/or construction was planned
 - Failing to begin release detection if a tank contains more than 2.5 centimeters of product
 - Failing to perform a line tightness test and a tank tightness test upon completion of the installation and prior to the dispensing of fuel from the UST system
 - Failing to certify installation of a new UST within 15 days
 - Failing to monitor tank 1A and tank 1B for a release at least every 30 days
 - Failing to monitor piping for a release at least every 30 days
 - Failing to test spill prevention equipment by no later than October 13, 2021

Appealed Order FED22-0006 cont'd.

- Failing to perform overfill prevention system inspections every 3 years
- Failing to properly conduct monthly monitoring and annual operation and maintenance walk-through inspections
- Failing to submit notification of a UST system installation to the Division within 15 days of installation completion
- Failing to test electronic components of release detection equipment installed on a UST system on an annual basis
- Failing to equip pressurized underground piping with an automatic line leak detector
- Failing to register USTs with the Division prior to delivery of a petroleum product
- Failing to maintain operating requirements for spill prevention
- Failing to perform quarterly dispenser inspections
- Failing to conduct a system test after discovering a suspected release

- Penalty:
 - Total civil penalty: \$134,000

- The Application for Fund Eligibility is denied. The Order was appealed on December 27, 2022. Respondent supplied inability to pay documents. The Division will be moving forward with tank removal and any necessary remediation. **No change in status.**

Appealed Orders From August 2022 Board Report

Appealed Order – In OGC

Summary of v

Fac. ID No. 3-330437 / J. J. Food Mart, East Ridge, Hamilton County

- Director's Order signed May 18, 2022
- Final on June 23, 2022
- Violations on Order:
 - Failing to conduct a systems test properly when there is a suspected release
 - Failing to conduct release detection monitoring at least monthly for a release
 - Failing to conduct an annual line tightness test or do monthly monitoring on pressurized underground piping
 - Failing to test line leak detectors annually
 - Failing to install, calibrate, operate or maintain a release detection method for tanks
 - Failing to conduct a site check properly when there is environmental contamination present
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$38,880.00
- The Order was appealed. Settlement drafted but not fully executed. Hearing scheduled for February 21, 2024.

Final Orders From May 2022 Board Report

Final Order – In AG's Office

Summary of UST21-0136

Fac. ID No. 2-470546 / Human's BP Service Station, Knoxville, Knox County

- Director's Order signed February 7, 2022
- Final on March 9, 2022
- Violations on Order:
 - Failing to pay fees, penalties, and interest on a tank
 - Failing to provide a release detection method capable of detecting a release from a tank that routinely contains product
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$7,680.00
- The Order became final. OGC sent a Demand Letter sent on February 15, 2023. No response. Case referred to AG. **No status change.**

Final Order – In OGC

Summary of UST21-0181

Fac. ID No. 5-830070 / Royal Market, Cottontown, Sumner County

- Director's Order signed February 11, 2022
- Final on March 28, 2022
- Violations on Order:
 - Failing to designate properly trained Class A and Class B Operators
 - Failing to provide Class C Operator Signage
 - Failing to provide a release detection method capable of detecting a release from a tank
 - Failing to inspect the impressed current rectifier every 60 days
 - Failing to conduct a tank system test on a UST system where the corrosion protection system has been turned off
 - Failing to ensure the spill buckets remain free of liquid
 - Failing to operate a release detection method for piping
 - Failing to monitor tanks at least monthly for a release
 - Failing to provide access to the under the dispenser to determine if the shear valves are properly anchored
 - Failing to provide documents, testing, and monitoring records
 - Failing to cooperate with the Division
- Penalty:
 - Total civil penalty: \$37,680.00
- The Order became final. The civil penalty has not been paid and this case is in OGC for resolution. Facility is red-tagged. **No change in status.**

Appealed Order from December 2021 Board Report

Appealed Order

Summary of UST21-0057

Fac. ID No. 2-470141 / JSN LLC dba EZ Food Mart, Knoxville, Knox County

- Director's Order signed September 15, 2021
- Order appealed on October 22, 2021
- Order for:
 - Failing to ensure that cathodic protection system is tested within 6 months of installation and every 3 years thereafter
 - Failing to comply with requirements concerning design, construction, utilization and/or upgrade of corrosion protection for tanks
 - Failing to conduct release detection monitoring at least monthly
 - Failure to cooperate with the Division
- Civil Penalty – \$6,000.00

- The Order was appealed. Facility has returned to compliance. Respondent paid the \$6,000 civil penalty. Appeal dismissed. Case is now closed.

Final Orders from December 2021 Board Report

Final Order - In OGC

Summary of UST21-0080/UST22-0044

Fac. ID No. 2-130002 / Marvin and Son Market, Speedwell, Claiborne County

- Director's Order signed July 20, 2021
- Final on September 12, 2021
- Order for:
 - Failure to have one or more persons designated as Class A, Class B and Class C operators
 - Failing to maintain the last 3 records of cathodic protection rectifier inspections
 - Failing to operate and maintain corrosion protection system to provide continuous protection
- Civil Penalty – \$8,400.00
- The Order is final and in OGC for resolution. Respondent has claimed inability to pay and the Inability to Pay application sent to respondent. **No change in status.**

Questions?

